

III. Remarks

(i) Response To Restriction Requirement

In the Office Action, the Examiner issued a Restriction Requirement, and stated that restriction to one of the following inventions is required:

Group I: Claims 1-16, 20-45, drawn to method of treating allergic rhinitis and chronic idiopathic urticaria comprising administering loratidine transdermally, and a transdermal delivery device containing loratidine classified in class 424, subclass 449.

Group II: Claims 17-19, drawn to method of lessening the incidence of side effects in a patient associated with oral administration of loratidine, classified in class 424, subclass 449.

In response, Applicants hereby elect, without traverse, Group I, claims 1-16, 20-45, drawn to method of treating allergic rhinitis and chronic idiopathic urticaria comprising administering loratidine transdermally, and a transdermal delivery device containing loratidine classified in class 424, subclass 449.

(ii) Response to Election Requirement

In response to the election of species requirement under 35 U.S.C. 121, Applicants hereby elect without traverse the following patentably distinct species of the claimed invention:

dosing interval:	at least a 3-day dosing interval
the backing layer material:	flexible material
polymer:	silicone

Applicants respectfully submit that claims 1-16, 20-38, and 40-45 are pending. Claim 39 has been withdrawn as it does not read on the elected species of silicone. Claims 17-19 have been canceled without prejudice, as they are part of non-elected Group II. Applicants note that claims 1, 8, 20, 23, and 26 are generic, as acknowledged by the Examiner.

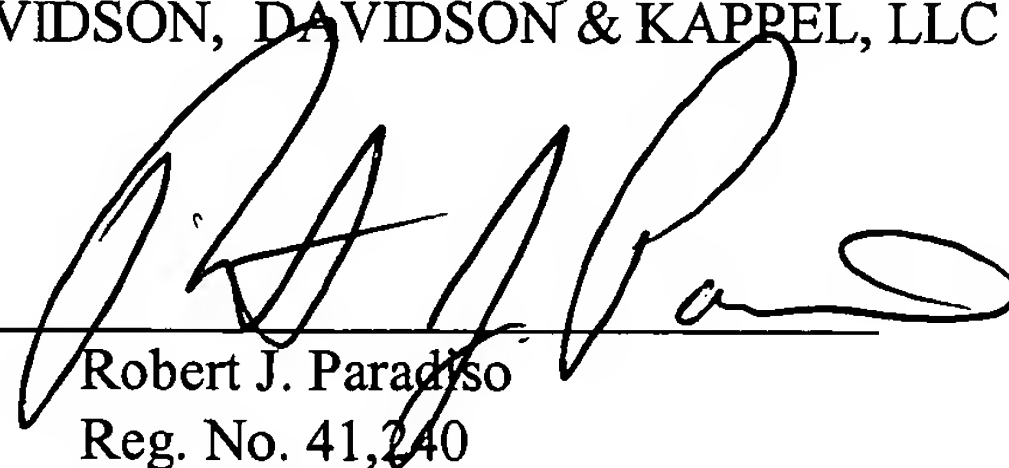
Applicants respectfully submit that all of the pending claims (1-16, 20-38, and 40-45) are readable on the elected species.

This Response is being submitted within 4 (four) months from the mailing date of the Office Action, thus a 4 (four) month extension fee of \$1340.00 is enclosed, which covers the 4 month extension fee of \$1450.00 minus \$110.00 already submitted with the Response filed on May 20, 2003. If it is determined that any additional fees are due or if any fees have been overpaid, the Commissioner is specifically authorized to charge said fee to Deposit Account No. 50-0552.

An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,
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